



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-027880-26-SA

In the matter of: 1515, 2777 KIPLING AVE
ETOBICOKE ON M9V4M2

Between: Q RES V OPERATING LP Landlord

And

DOLAPO OKUNFEYIJIMI Tenant

Q RES V OPERATING LP (the 'Landlord') applied for an order to terminate the tenancy and evict DOLAPO OKUNFEYIJIMI (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the mediated settlement signed by the parties on September 15, 2025 with respect to application LTB-L-043481-25.

The Landlord's application was resolved by order LTB-L-027880-26, issued on April 2, 2026. This order was issued without a hearing being held. The Tenant filed a motion to set aside order LTB-L-027880-26. This motion was heard by videoconference on May 25, 2026. The Landlord's Agent, Jacob Murchison, the Landlord's Legal Representative, Emily Barbati, and the Tenant attended the hearing.

Determinations:

1. There is no dispute that the Tenant failed to meet a condition specified in the mediated settlement signed by the parties on September 15, 2025 with respect to application LTB-L-043481-25 because she failed to pay both her rent due on March 1, 2026 in full and her arrears due on March 25, 2026.
2. As I am satisfied the Tenant breached the previous order, the next issue before me is whether it would be unfair in all circumstances to grant the Tenant's motion to set aside the eviction order. For the following reasons, I find that it would be unfair to grant the Tenant's motion.
3. The Tenant partially paid the \$1,963.90 amount due on March 1, 2026 through a payment of \$1,000.00 on March 2, 2026. She made an additional payment of \$1,400.00 on April 13, 2026.
4. When asked why she failed to pay the full amounts owing in March 2026, the Tenant submitted that she lost her mother in December 2025 and had to take time off work and incur expenses as a result.

5. The Tenant testified that she has been trying to take extra shifts at work and anticipates renting a room in the rental unit to a friend for \$700.00 per month commencing June 1, 2026. No evidence was provided in support of this assertion that the Tenant was obtaining a roommate.
6. The Tenant indicated that she earns between \$1,300.00 - \$1,400.00 bi-weekly. She submitted that her monthly expenses total \$1,365.00, consisting of:
 - a) Groceries - \$400.00;
 - b) Car payment - \$600.00;
 - c) Car insurance - \$280.00;
 - d) Utilities - \$40.00; and
 - e) Cell phone - \$45.00.
7. The Landlord opposed the motion, stating that, given the Tenant's testified-to income and expenses, there is no reasonable expectation that she will be able to continue to make the payments required for both her monthly rent and the arrears owing, even if the Tenant is to be believed regarding her new potential roommate and their associated rent contribution. The Landlord identified that the Tenant's monthly rent was last paid in full in November 2025 and that arrears had only been paid in full once since the issuance of the consent order.
8. Based on the evidence before me regarding the Tenant's current financial circumstances, I am of the view that the tenancy is not viable and that it would be unfair to set aside the eviction order.
9. In the event the motion is denied, the Tenant had no plan for alternate accommodations. The Landlord requested an immediate lifting of the stay.
10. The Landlord did not provide the Board with any evidence to suggest that a short delay in lifting the stay will unduly prejudice them and I note that the Landlord is holding a rent deposit of \$1,865.13. As such, the stay will be lifted on July 10, 2026, giving the Tenant a short extension to secure alternate housing.

It is ordered that:

1. The motion to set aside Order LTB-L-027880-26, issued on April 2, 2026, is denied.
2. The stay of order LTB-L-027880-26 is lifted on July 10, 2026.
3. Order LTB-L-027880-26 is unchanged.

June 26, 2026
Date Issued

Curtis Smith
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
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If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.